



SBAITI & COMPANY
A TEXAS PROFESSIONAL LIMITED LIABILITY COMPANY

December 6, 2021

Via ECF and U.S. Mail

Honorable Gregory H. Woods
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 1920
New York, NY 10007

Re: *Nexpoint Strategic Opportunities Fund*
v. Acis Capital Management, L.P., et al.
No. 1:21-cv-04384-GHW

Dear Judge Woods:

In accordance with the Court's Order dated November 26, 2021 (Dkt. 46), Plaintiff's counsel responds to Highland CLO Funding Ltd.'s Motion to Intervene ("Motion") (Dkt. 43).

Plaintiff consents to the Motion but does not adopt all of the positions set forth in HCLOF's supporting Memorandum of Law (Dkt. 44), including those with respect to the amounts being held back from distributions to, among others, the proposed intervenor for the purpose of defending this litigation. Plaintiff reserves all rights to address and contest those positions at the appropriate time.

Respectfully submitted,

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

cc: All Counsel of Record (via ECF and Email)